

**MINUTES OF THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

*ENOCH ADAMS JR., et al.*                      v.    *TECK COMINCO ALASKA INC.*

THE HONORABLE JOHN W. SEDWICK                      CASE NO. 3:04-cv-00049-JWS

PROCEEDINGS:    **ORDER FROM CHAMBERS**                      Date: September 28, 2007

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At docket 170, plaintiffs move to file a supplemental complaint that, in essence, brings the existing complaint up to date as respects developments including alleged permit violations that have taken place since the original complaint was filed. The motion is supported by the memorandum at docket 174, and a copy of the proposed supplemental complaint has been provided. The motion is opposed by defendant Teck in a memorandum at docket 175. Plaintiffs reply at docket 179. Neither of the intervenors has filed any response.

The court has examined the motion papers and agrees with plaintiffs. Based on the authorities cited and for the reasons given in plaintiff's motion papers, the motion at docket 170 is **GRANTED**. The newly alleged violations, along with the multitude of those originally alleged but not disposed by summary judgment will be considered at the trial which commences May 19, 2008. This order does not authorize any further discovery. The court will not permit any further supplemental complaint. It is time to get this case resolved.

The court takes this opportunity to advise counsel that there will be **no trial proceedings during the week of July 14, 2008**. During that week the court will be attending a judicial training program on the East Coast which is sponsored by the Federal Judicial Center.

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